

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

WILMINGTON TRUST, NATIONAL  
ASSOCIATION, not in its individual  
capacity, but solely as TRUSTEE FOR  
MFRA TRUST 2015-2,

Plaintiff,

v.

MARIA MARTINEZ, et al.,

Defendants.


No. 5:20-CV-254-H-BQ

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge D. Gordon Bryant, Jr. made Findings, Conclusions, and a Recommendation (FCR) in this case on April 14, 2021. *See* Dkt. No. 18. Judge Bryant recommended that the Court grant the plaintiff's Motion for Attorney's Fees, Dkt. No. 16, and award \$2,483.00 in attorney's fees and \$957.69 in court costs. No objections to the FCR were filed. The District Court has therefore reviewed the proposed FCR for plain error. *U.S. ex rel. Steury v. Cardinal Health, Inc.*, 735 F.3d 202, 205 (5th Cir. 2013) ("[P]lain error review applies when a party did not object to a magistrate judge's findings of fact, conclusions of law, or recommendation to the district court, so long as the party was served with notice of the consequences of failing to object.") (citing *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428 (5th Cir. 1996) (en banc), *superseded on other grounds by* 28 U.S.C. § 636(b)(1)). Finding none, the Court accepts the FCR of the United States Magistrate Judge.

Wilmington Trust's Motion for Attorney's Fees is granted. The Court awards Wilmington Trust \$2,483.00 in attorney's fees and \$957.69 in court costs. Pursuant to the Court's Final Default Judgment, Wilmington Trust may tax "[c]osts and attorney's fees . . . against the defendants up to the value of the property and not as a personal judgment against the defendants." Dkt. No. 15 at 2.

So ordered on June 7, 2021.

  
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JAMES WESLEY HENDRIX  
UNITED STATES DISTRICT JUDGE